

The following information was extracted from BLM's Clear Creek Management Area Draft Resource Management Plan and Environmental Impact Statement November 2009 document.

## **EXECUTIVE SUMMARY**

### **ES .1 Introduction**

The Bureau of Land Management (BLM) Hollister Field Office (HFO) has prepared this Draft Resource Management Plan/Environmental Impact Statement (RMP/EIS) to provide direction for managing public lands in the Clear Creek Management Area (CCMA). The HFO manages approximately 63,000 acres of public land within the 75,000-acre CCMA, representing a variety of settings and landforms that host many diverse natural and cultural resources, and offer recreation and other multiple-use opportunities. Since 1984, approximately 30,000 acres of serpentine soils high in asbestos fibers within the CCMA have been designated as the Clear Creek Serpentine Area of Critical Environmental Concern (ACEC) to protect public health and safety. BLM's mission is to sustain the health, diversity, and productivity of these public lands for the use and enjoyment of present and future generations.

Public land resources described in this RMP/EIS are classified as "Planning Areas". The Planning Area encompasses the entire area within the boundaries of CCMA regardless of jurisdiction or ownership. The "BLM-administered lands" refer to public lands within the Planning Area for which the BLM has authority and makes decisions (also referred to as the "Decision Area").

The Planning Area has been managed in accordance with the 1984 Hollister Resource Management Plan (hereafter the '1984 Hollister RMP'), a broad-scale land use planning and management document that provides goals and objectives and defines necessary management actions to achieve these desired conditions. Since 1984, the 1984 Hollister RMP has been amended several times to address new issues and emerging trends on public lands in CCMA. Though these plans provide a broad overview of goals, objectives, and needs associated with these public lands, the 1984 Hollister RMP and CCMA RMP Amendments (1986, 1999, 2006) lack detailed direction and are generally outdated. Social, political, and environmental changes, coupled with significant population growth not anticipated in the 1984 Hollister RMP (as amended) have presented some complex management issues that are appropriate to analyze in a "stand alone" RMP for the 63,000 acres of BLM-administered lands in CCMA.

The Hollister RMP was updated in 2007 to establish goals, objectives, and management actions for BLM public lands that address current issues, knowledge, and conditions. However, BLM-administered lands in CCMA were not addressed in the Hollister RMP (2007) because the Environmental Protection Agency (EPA) was preparing an asbestos exposure and human health risk assessment to provide BLM and the general public information on the exposure levels from various types of activities in the Clear Creek Serpentine ACEC. EPA initiated the study in 2004 in connection with the clean-up of the

Atlas Asbestos Mine Superfund Site, also in CCMA, and concerns about the technical deficiencies of a 1992 health risk assessment that BLM used to evaluate CCMA visitor's exposure to airborne asbestos fibers in the area. Therefore, BLM agreed to work with EPA and the public upon completion of the study to incorporate the new health risk information into public land use decisions for the area.

EPA released the CCMA Asbestos Exposure and Human Health Risk Assessment on May 1, 2008. The result of the study concluded that visiting CCMA more than once per year can put adults and children above EPA's acceptable risk range for exposure to carcinogens and found an increased long-term cancer risk from engaging in many of the typical recreational activities at the CCMA.

In response to new information provided in the CCMA Asbestos Exposure and Human Health Risk Assessment (2008), BLM issued a temporary closure order simultaneously on May 1, 2008 that closed 30,000-acres within the CCMA's Serpentine ACEC to all public use and entry. The closure order was published in the Federal Register (Volume 73, Number 85), pursuant to 43 CFR 8364.1, to protect public land users from human health risks associated with exposure to airborne asbestos in the CCMA while the BLM completes this Resource Management Plan. As a result, this RMP/EIS will address general public access and recreation at the CCMA to consider new information in the EPA report and analyze a full range of management options and alternatives for the CCMA.

This Draft RMP/EIS presents alternatives to help BLM and interested parties understand the various ways of addressing issues in the region and evaluates the environmental consequences of revising the 1984 Hollister RMP, and the associated CCMA RMP Amendments.

Upon evaluation of the alternatives and associated impacts as described in this Draft RMP/EIS, BLM selected a combination of management actions and objectives from among the range of alternatives, using the 'menu approach' described below in Section 1.2.2. The BLM's Preferred Alternative is described in Chapter 2, Section 2.5 and comprises land use decisions and public health and safety measures to minimize asbestos exposure, reduce airborne asbestos emissions, and promote outreach and education to inform public lands users of the human health risks associated with exposure to asbestos in CCMA. The preferred alternative also meets the resource management goals described in Chapter 2 and the purpose and need statement described below.

Upon release of this Draft RMP/EIS, the public will have a period of 90 days to provide comments and feedback on its contents. During this period, BLM also will host a minimum of three public meetings to solicit feedback on the Draft RMP/EIS from the public and interested stakeholders. A final selection will be made after public review and comment on this Draft RMP/EIS. The final selection of an alternative may be different from any of the seven alternatives analyzed, possibly including some elements from one or more other alternatives to reflect public and other agency input.

Based on the comments and feedback received, BLM will prepare and publish a Proposed RMP/Final EIS, which will be followed by a 30-day public protest period. BLM will respond to protests and publish a Record of Decision for the Approved RMP for Clear Creek Management Area.

## **ES.2 Overall Vision**

The overall vision for management of BLM-administered lands in CCMA, derived from public scoping, inter-agency dialogue, and BLM's interdisciplinary team, is "to improve natural, cultural, and open space values across the landscape for the protection of human health and the environment; and pursue recreation opportunities through partnerships and collaboration for the enjoyment and use of a growing and diverse populations of current and future generations."

The BLM is responsible for the sustainable management of public lands and resources and their various values so that they are considered in a combination that will best serve the needs of the American people. Management is based upon the principles of "multiple use" – a combination of uses that takes into accounts the long-term needs of future generations for renewable and nonrenewable resources. These resources include public health and safety recreation, range, timber, minerals, watershed, fish and wildlife, wilderness, and natural, scenic, scientific, and cultural values.

The BLM is developing the CCMA RMP under the authority and direction of the Federal Land Policy and Management Act (FLPMA) of 1976 (Sec. 202(a)), which states that land use plans shall be developed, maintained, and, when appropriate, revised for the use of the public lands. The RMP revision will guide public land management for lands and resources administered by the BLM within the Planning Area for another 10 to 15 years.

The CCMA RMP/EIS provides an updated assessment of resources, uses, conditions, and trends; a forum for enhanced public collaboration and involvement; and a comprehensive impact analysis of reasonable management alternatives and resulting land use decisions.

## **ES.3 Purpose and Need**

Since the development of the 1984 Hollister RMP and associated CCMA RMP amendments, many social, political, and environmental changes have occurred that affect resource conditions and influence public land uses. These changes, coupled with significant population growth that had not been anticipated in the 1984 plan and subsequent amendments, have presented some complex management issues that can be addressed by an updated land use plan.

The need to develop the CCMA RMP arises from numerous changes in circumstances since the current land use plan decisions were adopted. The existing Resource Management Plan (RMP) for the area was adopted in 1984. There have been several amendments to the 1984 RMP to address public health and safety and resources protection issues in CCMA. However, many other issues that are emerging on public lands were not addressed in those amendments. The following list of specific factors illustrates the need for preparation of an updated management plan:

- The EPA's CCMA Asbestos Exposure and Human Health Risk Assessment (2008) provides significant new information that must be incorporated into a land use plan to evaluate the public health risk associated with BLM land use authorizations..
- The current management plan does not specifically address listing and/or additional habitat needs for species protected under the federal 1973 Endangered Species Act (ESA), including the California Condor, red-legged frog, and tiger salamander.
- Changes in social and economic conditions in San Benito County, the San Joaquin Valley, and the entire State of California have led to increased demand for use of public lands for recreation and energy production; as well as an increased awareness and social value placed on the cultural and natural resources in the Planning Area.

The purpose of the CCMA RMP is to establish goals, objectives, and management actions for BLM-administered lands in CCMA that address current issues, knowledge, and conditions. The CCMA RMP shall guide the management of the lands and resources administered by the Hollister Field Office in CCMA to achieve the following: 1) minimize asbestos exposure 2) reduce asbestos emissions 3) designate areas in CCMA for motorized, mechanized, and non-motorized/non-mechanized recreation management opportunities; 4) protect sensitive natural and cultural resources from impacts due to recreation and other land uses; 5) provide guidance for mineral and energy development; and 6) other land use authorizations and tenure adjustments. This planning effort is intended to be comprehensive, evaluating existing management plans and identifying regional issues, and resolving those issues through public, interagency, and intra-agency scoping efforts. This effort also identifies the area's "vision", long-range management goals, intermediate objectives, and actions and options for meeting those objectives.

#### **ES.4 Public Involvement in the Planning Process**

Public involvement in BLM's planning process begins with a public scoping period. The objectives of the scoping process are to identify potentially interested parties, identify public and agency concerns, define the range of issues to be examined in the plan, ensure that relevant issues are identified early and drive the analyses, and establish a public record.

Opportunities for public involvement will continue as development of the CCMA RMP/EIS proceeds. For example, upon release of the Draft RMP/ EIS, the public will have a period of 90 days to provide comments and feedback on its contents to BLM. During this period, BLM will host a minimum of three public meetings to solicit feedback on the Draft RMP/EIS from the public and interested stakeholders.

Based on the comments and feedback received, BLM will prepare a Proposed RMP/Final EIS for CCMA public lands. The Proposed RMP/Final EIS will be followed by a 30-day public protest period. Following the protest period, BLM will resolve protests and publish a Record of Decision and Approved CCMA Resource Management Plan.

## **ES.5 Management Alternatives**

The goals and objectives of each resource program are specified, and specific management actions for each alternative are then presented. The basic goal of developing alternatives is to explore the range of use options, protection preferences, and management tools to find the optimal balance for the Planning Area. Alternatives must meet the purpose and need for the CCMA RMP; must be reasonable (i.e., manageable); must balance resource protection, public uses, and development; must meet established planning criteria, and Federal laws, regulations, and BLM planning policy.

Seven land use management alternatives are presented in Chapter 2, “Management Alternatives.”

**Alternative A** represents the ‘No Action’ alternative and would reaffirm current management under the 1984 Hollister RMP (as amended). BLM would incorporate new health risk information into public outreach and education asbestos hazard information program to mitigate public health risk.

**Alternative B** maintains multiple use opportunities in CCMA, and considers multiple mitigation measures to protect public health and safety. BLM would protect health and safety by increasing restrictions on season of use and visitor use days/year, dust mitigation on major routes, and by eliminating camping and staging in the Serpentine ACEC.

**Alternative C** limits OHV recreation opportunities in the Serpentine ACEC based on vehicle types, and minimum age requirements, and other mitigation measures. BLM would protect health and safety by prohibiting access into the ACEC for visitors < age 18, restricting OHV recreation to motorcycle use only, increasing restrictions on season of use, dust mitigation on major routes, and by eliminating camping and staging in the Serpentine ACEC.

**Alternative D** emphasizes vehicle access for non-motorized recreation opportunities inside the ACEC, and new OHV recreation opportunities outside of the ACEC. BLM would protect health and safety by restricting motorized access in the ACEC to major routes, dust mitigation on major routes, installing a public wash rack, and by and eliminating camping and staging in the ACEC.

**Alternative E** allows limited vehicle touring and pedestrian use in the ACEC, and non-motorized recreation opportunities outside the ACEC. Public health and safety risks would be mitigated by requiring permits for access into the Serpentine ACEC for day use only. Vehicle touring would be limited to less than 5 days/year and pedestrian activity limited to less than 12 days/year.

**Alternative F** restricts public access in the ACEC to non-motorized travel only. Allowable use restrictions would significantly reduce risk to public health and safety; and BLM management activities would lower risk to human health and the environment.

**Alternative G** minimizes public health risk by prohibiting all public access and entry into the Clear Creek Serpentine ACEC. Alternative G would make the existing temporary closure of the 30,000-acre ACEC that was issued by BLM under 43 CFR 8364.1 on May 1, 2008 permanent. Consequently, the impact analysis for Alt. G provides a baseline for comparison of the impacts associated with the temporary closure of the Serpentine ACEC to other management actions within the range of alternatives for the CCMA RMP/EIS.

Alternatives that were considered but not analyzed are also presented in Chapter 2.

## **ES.6 Affected Environment**

Chapter 3, “Affected Environment,” provides a general discussion of the Planning Area and then focuses in on those specific lands within the Planning Area that are administered by the BLM. The affected environment descriptions focus on those aspects of the physical, biological, cultural, social, and economic conditions (i.e. “human environment”) that could be affected by the management actions prescribed in the range of alternatives.

## **ES.7 Environmental Consequences**

Chapter 4, “Environmental Consequences,” identifies the impacts of each management action by resource. Mitigation measures designed to avoid or reduce these impacts are incorporated into the management actions of each alternative. The depth and breadth of the impact analyses presented in this chapter is commensurate with the level of detail of the management actions presented in Chapter 2, and on the availability and/or quality of data necessary to assess impacts. The baseline used for expected impacts is the

current conditions in the Planning Area described in Chapter 3. For the purpose of analysis, many management actions are combined among the range of alternatives based on varying levels of motorized or non-motorized access inside the Serpentine ACEC, and other allowable uses, land use authorizations, and the associated mitigation measures for public health and safety.

## **ES.8 Consultation and Coordination**

Development of the CCMA RMP/EIS allows BLM the opportunity to review existing agreements and consider cooperative agreements with other government agencies, including: U.S. Environmental Protection Agency, U.S. Fish & Wildlife Service, California Department of Forestry & Fire Protection (CALFIRE), California Office of Historic Preservation, California Department of Fish & Game, California Regional Water Quality Control Board(s), Monterey Bay Unified Air Pollution Control District, and other local agencies.

The Tachi Yokut tribe of the Santa Rosa Rancheria is the only federally recognized Native American group in the Planning Area. Personal contacts between BLM officials and tribal representatives are routinely scheduled for other planning activities in the Hollister Field Office, and BLM has extended the opportunity to provide input for the RMP revision to the Tachi Yokut tribe throughout the planning process.

The HFO also participates in several regional Coordinated Resource Management Planning (CRMP) groups. Coordinated resource management is a voluntary planning process that has proven to be successful in the management of natural resources and is rapidly gaining acceptance nationwide as an essential tool in watershed management. CRMP allows local people to provide input in making and implementing proactive natural resource management decisions, and involves bringing all affected stakeholder groups together to set common goals and resolve resource issues as a team. BLM participates in the following CRMP groups in the Planning Area: Arroyo Pasajero Watershed, Cantua Creek Watershed, Pajaro Watershed, and Panoche-Silver Creek Watershed.

Six public scoping workshops were held from October 2007 to June 2008 to initiate the public involvement process for the CCMA RMP/EIS. Additionally, three public comment meetings and two social and economic strategies workshops will be announced upon release of the Draft CCMA RMP/EIS to discuss questions and concerns about the impacts of management alternatives and social and economic issues in the Planning Area to increase public involvement in development of the Proposed CCMA RMP and Final EIS.

## **ES.9 Summary of Major Planning Issues**

Based on the discussions held during six public scoping workshops and BLM's current land use planning guidance and knowledge of management issues and concerns in the Planning Area, 18 program areas are addressed in this Draft RMP/EIS. The following issues and concerns represent the key themes and priorities that are considered in the CCMA RMP/EIS:

- Questions with regard to chrysotile asbestos and EPA Risk Assessment
- Impacts to human health from asbestos exposure.
- Measures to reduce and minimize risk to public health and safety:
- Suitable areas for motorized and non-motorized recreation uses.
- Desired outcome for areas with high scenic and/or cultural values.
- Protection of special status species.
- Potential land tenure adjustments (acquisition & disposal).
- Wildfire management strategy to protect private and public lands and resources.
- Establishing limits on season of use, number of visitor use days/years, vehicle types, riding areas and/or trails types., or minimum age requirements.
- Fluid and solid mineral development;
- Impacts on watershed resources and water quality;
- Impacts on air quality in non-attainment areas;

A number of issues raised during scoping were determined to be beyond the scope of the CCMA RMP/EIS. The issues considered but not further analyzed are identified in Chapter 1, Section 1.3.3.